

PROB 12C  
(6/16)

Report Date: November 15, 2021

**United States District Court**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

**Nov 15, 2021**

SEAN F. MCAVOY, CLERK

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Adam T. Layton

Case Number: 0980 2:19CR00136-TOR-1

Address of Offender: , Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: February 17, 2021

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1), 924(a)(2)

Original Sentence: Prison - 18 months  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Patrick J. Cashman

Date Supervision Commenced: February 26, 2021

Defense Attorney: Roger James Peven

Date Supervision Expires: February 25, 2024

**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 10/26/2021.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Special Condition #3:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Adam Layton allegedly violated the conditions of his supervised release by failing to enter into and successfully completing an approved substance abuse treatment program.

On March 2, 2021, Adam Layton signed his judgment for case number 2:19CR00136-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he was to follow the instructions related to the conditions of supervision.

Mr. Layton failed to report for scheduled treatment sessions with Pioneer Human Services (PHS) on October 27 and 29, 2021, and November 3, 5, 8, 10, 12, and 15, 2021. When addressing this with Mr. Layton, he advised he missed his group treatment because of a

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medical emergency requiring surgery on his finger. Furthermore, he indicated he was informed by PHS staff he was no longer listed on their treatment roster.

The undersigned officer communicated with the treatment counselors and it was determined Mr. Layton was in fact still on their treatment roster. Additionally, the undersigned officer received a monthly treatment report indicating he had only been seen on three occasions since initially being referred for treatment. Mr. Layton has now been discharged from PHS based on his inability to report as required.

- 4      **Standard Condition #13:** You must follow the instructions of the probation officer related to the conditions of supervision.

**Supporting Evidence:** Adam Layton allegedly violated the conditions of his supervised release by failing to follow the instructions of the probation officer related to the conditions of his supervision.

On March 2, 2021, Adam Layton signed his judgment for case number 2:19CR00136-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he was to follow the instructions related to the conditions of supervision.

On November 10, 2021, Mr. Layton was asked to provide a pay statement for the purpose of verifying employment, as the undersigned had not been able to connect with his reported employer. The document furnished by the offender revealed noticeable discrepancies and it appeared alterations had been made. The undersigned officer questioned the authenticity of this pay statement and requested he return to the office on November 12, 2021, with additional documentation. Mr. Layton failed to report as directed on that date and was unable to be reached when called.

- 5      **Special Condition #4:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 test per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Adam Layton allegedly violated the conditions of his supervised release by failing to submit a urine sample for testing as directed by the supervising officer.

On March 2, 2021, Adam Layton signed his judgment for case number 2:19CR00136-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he was to submit to urinalysis (UA) testing as directed by the supervising officer.

On May 5, 2021, Mr. Layton was placed on random urinalysis testing with PHS and is required to provide a urine sample when his assigned color was identified for testing. Mr. Layton was reported as a “stall/walk off” on November 10, 2021, and neglected to provide a urine sample. This was confirmed by a PHS UA attendance roster.

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The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/15/2021

s/Mark E. Hedge

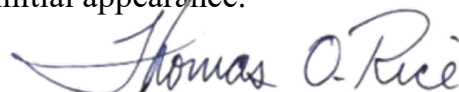
Mark E. Hedge

U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge for initial appearance.
- ☐ Other



Thomas O. Rice  
United States District Judge

November 15, 2021

Date